

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA

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2005 JUN 30 A 1:52

DEBRA R. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

STEVE ALLEN PELHAM
Full name and prison number
of plaintiff(s)

v.

JUDGE FRANK L. MCQUIRE
CITY OF OPRY AL POLICE DEPT.

CIVIL ACTION NO. 2:05CV 617-T
(To be supplied by Clerk of
U.S. District Court)

Name of person(s) who violated
your constitutional rights.
(List the names of all the
persons.)

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court
dealing with the same or similar facts involved in this
action? YES () NO (☒)

B. Have you begun other lawsuits in state or federal court
relating to your imprisonment? YES () NO (☒)

C. If your answer to A or B is yes, describe each lawsuit
in the space below. (If there is more than one lawsuit,
describe the additional lawsuits on another piece of
paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) NA

Defendant(s) NA

2. Court (if federal court, name the district; if
state court, name the county) NA

3. Docket number NA
4. Name of judge to whom case was assigned NA
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) NA
6. Approximate date of filing lawsuit NA
7. Approximate date of disposition NA

II. PLACE OF PRESENT CONFINEMENT Covington County, Al Jail
290 Hilcrest Dr. Andalusia, Al 36420

PLACE OR INSTITUTION WHERE INCIDENT OCCURRED Covington
County Court House, Court House Square, Andalusia, Al 36420

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

NAME	ADDRESS
1. <u>FRANK L McGUIRE</u>	<u>Court House Square, Andalusia, Al 36420</u>
2. <u>City of Opp</u>	<u>Al Police Dept.</u>
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED April 22, 2005
"Bond Reduction Hearing June 20, 2005" Denied

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: DUE PROCESS VIOLATION UNDER CRIMINAL
PROCEDURE FIELD AND GUIDELINES

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place and manner and person involved.)

IN the of Rule 7 RECOMMENDED RANGE
for CLASS C Felony, Bond is supposed to be
set \$1,000 to \$10,000. Bond is set at \$100,000
10 times the RECOMMEND RANGE

GROUND TWO: DISCRIMINATION, Right to EQUAL
TREATMENT without PREJUDICE

SUPPORTING FACTS: Other INMATES with CLASS C
Felony status Bonds ARE SET AT \$10,000
Constitution of the U.S. under the 8th
AMENDMENT state that bond is to be made
AVAILABLE

GROUND THREE: Constitution of ALABAMA 1901
ARTICLE I, SEC 16

SUPPORTING FACTS: Under Rule 7 of CRIMINAL
PROCEDURE states that Bond should not be
EXCESSIVE. Code of ALA, 1975
14th AMENDMENT CONTS. of U.S. GUARANTEES
EQUAL PROTECTION of the LAWS, PRIVILEGES

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

I would like my bond to be lowered
to RECOMMENDED RANGE of \$10,000 so I CAN
MAKE bond, \$100,000 is too much

X Steve Palbren
Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on 1-27-05
(Date)

X Steve Palbren
Signature of plaintiff(s)

Patricia Suscath
Notary Public
1-29-09

IN the United States District Court
FOR the Middle District of ALA

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Complaint AND STATEMENT

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My NAME is STEVE ALLEN PELHAM AND I AM CURRENTLY INCARCERATED in the Covington County Jail. I WAS ARRESTED April 22, 2005 in Opp, AL by the City police in Opp. I WAS ARRESTED AND charged with RECEIVING Stolen property in the 2ND DEGREE AND my Bond was set AT \$100,000 By the City police in Opp AND taken to the Covington County Jail. My Court Appointed Lawyer filed for my bond to be Reduced in the District Court of Covington County, Judge McGuire DENIED my plea for Bond Reduction. My complaint is that my Bond is too high AND should be set AT the recommended RANGE according to the CODE of ALABAMA 1975 CRIMINAL procedure Field AND Guidelines AND I BELIEVE that the city police in Opp, AL AND Judge McGuire HAVE violated my rights by NOT setting my bond AT \$10,000, I could Bond out of Jail AT \$10,000 AND there is NO way I CAN make A \$100,000 Bond.

Respectfully submitting

DATE 6-27-05

Steve Pelham
Plaintiff

CERTIFICATE OF SERVICE

I AM sending this complaint by prepaid postage by the U.S. postal SERVICE to the United States District Court to be filed by Clerk of Court

P.O. Box 711
MONTGOMERY, AL 36101-0711

STEVE ALLEN PELHAM
290 HILCREST DR
ANDALUSIA, AL 36420

Sworn to and subscribe before me
on this 27 day of JUNE, 2005

Patrice A. Surratt
NOTARY

COMM EXP. 1-29-09

Steve Pelham
PLAINIFF